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Via Electronic Case Filing

Hon. Denis R. Hurley
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Trustees of the Northeast Carpenters Health, et al.*
v. Countrywide Home Improvement, Inc., 17 CV 2570 (DRH)(ARL)

Dear Judge Hurley:

This firm represents the Petitioners in the above-referenced action.

Petitioners commenced this action to confirm and enforce an arbitration award against Respondent by filing the Petition on May 1, 2017. Respondent was served with the Summons and Petition on May 2, 2017, as evidenced by the affidavit of service on file with the Court. Respondent has not appeared in this action, and its deadline to do so has expired. Petitioners now write to respectfully request that the Petition be reviewed as a motion to confirm the arbitration award and be deemed unopposed. *See, e.g., D.H. Blair & Co., Inc. v. Gottdiener*, 462 F.3d 95, 109 (2d Cir. 2006) (noting that a petition to confirm an arbitration award that is supported by accompanying records should itself be treated as a motion for summary judgment); *see also* 9 U.S.C. § 6 (“Any application to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions”). Accordingly, Petitioners respectfully request that the Court deem their Petition as an unopposed motion for summary judgment.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/
Nicole Marimon, Esq.

cc: Countrywide Home Improvement, Inc. (via first class mail)